

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

Civil Action No. 01-2373

MEDTRONIC SOFAMOR DANEK, INC.)

Plaintiff,)

v.)

GARY K. MICHELSON, M.D., and
KARLIN TECHNOLOGY, INC.,)

Defendants.)

GARY K. MICHELSON, M.D., and
KARLIN TECHNOLOGY, INC.,)

Counterclaimants,)

v.)

MEDTRONIC SOFAMOR DANEK, INC.,)

Counterdefendant.)

GARY K. MICHELSON, M.D.,)

Third Party Plaintiff,)

v.)

SOFAMOR DANEK HOLDINGS, INC.,)

Third Party Defendant.)

GARY K. MICHELSON, M.D., and
KARLIN TECHNOLOGY, INC.,)

Counterplaintiffs,)

v.)

MEDTRONIC SOFAMOR DANEK, INC.,
and MEDTRONIC, INC)

Counterdefendants.)

FILED IN OPEN COURT
DATE: 10-12-04
TIME: 12:20 PM
INITIALS: JPW

JURY VERDICT FORM – PUNITIVE DAMAGES

We, the jury in the above entitled action, find the following special verdict on the following questions submitted to us with respect to the amount, if any, of punitive damages:

AMOUNT OF PUNITIVE DAMAGES

With respect to each of the questions below, you have already found, by answering "Yes" to each of the corresponding parts of Question No. 72 in the Jury Verdict Form, that Dr. Michelson or Karlin Technology has proven by clear and convincing evidence that Medtronic Sofamor Danek acted in a manner that was reckless, intentional, fraudulent, or malicious. Medtronic Sofamor Danek therefore is liable for punitive damages as to each such specific finding you made, and you must now answer an additional question.

Question No. 73: The additional question you must now answer is, what amount of punitive damages, if any, do you award with regard to each specific finding of punitive damages liability you made against Medtronic Sofamor Danek?

Question No. 73(a): Having answered "Yes" to Question No. 72(a) in the Jury Verdict Form what amount of punitive damages, if any, do you award?

\$ 68,000,000.⁰⁰

Question No. 73(c): Having answered "Yes" to Question No. 72(c) in the Jury Verdict

Form what amount of punitive damages, if any, do you award?

\$ 24,000,000.⁰⁰

Question No. 73(d): Having answered "Yes" to Question No. 72(d) in the Jury Verdict

Form what amount of punitive damages, if any, do you award?

\$ 24,000,000.⁰⁰

Question No. 73(e): Having answered "Yes" to Question No. 72(e) in the Jury Verdict

Form what amount of punitive damages, if any, do you award?

\$ 80,000,000.⁰⁰

Question No. 73(f): Having answered "Yes" to Question No. 72(f) in the Jury Verdict Form

what amount of punitive damages, if any, do you award?

\$ 60,000,000.⁰⁰

Question No. 73(h): Having answered "Yes" to Question No. 72(h) in the Jury Verdict

Form what amount of punitive damages, if any, do you award?

\$ 24,000,000.⁰⁰

Question No. 73(i): Having answered "Yes" to Question No. 72(i) in the Jury Verdict Form

what amount of punitive damages, if any, do you award?

\$ 24,000,000.⁰⁰

Question No. 73(j): Having answered "Yes" to Question No. 72(j) in the Jury Verdict Form


what amount of punitive damages, if any, do you award?

\$ 44,000,000.⁰⁰

Question No. 73(k): Having answered "Yes" to Question No. 72(k) in the Jury Verdict

Form what amount of punitive damages, if any, do you award?

\$ 52,000,000.⁰⁰

Presiding Juror: 

Date: OCTOBER 12, 2004

After the presiding juror signs, then each juror should also sign, indicating agreement to each verdict
(i.e., each answer) in the verdict form.



Freeman C. Buckley

